

Section III. Remarks

Amendments to Specification and Claims

The present amendments are submitted to effectuate the proposals communicated by Examiner Nicole Kinsey White on February 13, 2008 to the undersigned attorney, and subsequently discussed with her, as to amendments to the specification and claims to place this application in condition for allowance.

In response to proposals made by Examiner Nicole Kinsey White to the undersigned attorney for amendments of this application that would place same in form for allowance, applicant hereby submits this response, amending the claims consistent with Examiner Kinsey White's proposals, including amendment of claim 21 to set out IRES species by SEQ ID NOS: 1-8, submitting a sequence listing in compliance with the requirements of 37 CFR 1.821-1.825, for such SEQ ID NOS: 1-8 of the amended claim 21, amending the specification to specify SEQ ID NOS: 1-8, incorporating by reference in the specification the references related to the IRES nucleotide sequences of SEQ ID NOS: 1-8, and submitting a Declaration under 37 C.F.R. § 1.132, attesting to the public availability, as of the filing date of the present application, of the nucleotide sequences SEQ ID NOS: 1-8 identified in such sequence listing, claim 21 and pages 8-9 of the specification. No new matter (35 USC 132) has been introduced.

Submission of Sequence Listing

A sequence listing in accordance with 37 C.F.R. §§ 1.821 -1.825 is submitted herewith.

CONCLUSION

Claims 1-4, 6-30, 62-63 and 79 are now in form and condition for allowance. Issue of a Notice of Allowance for this application therefore is respectfully requested.

Respectfully submitted,

/steven j. hultquist/

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